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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 HUNG V. TRAN,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
14 Commissioner of the Social Security  
Administration,

15 Defendant.

CASE NO. 2:16-cv-01375-DWC

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

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17 Presently before the Court is Defendant's Stipulated Motion for Remand ("Motion").  
18 Dkt. 17. After reviewing the Motion and the relevant record, the Court orders the following:

19 Defendant's Motion is granted and this Court hereby reverses the Commissioner's  
20 decision under sentence four of 42 U.S.C. §405(g) with a remand of the case to the  
21 Commissioner for further proceedings. *See, Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

22 It is ORDERED that the Commissioner's decision in regard to Plaintiff's application for  
23 supplemental security income payments under Title XVI of the Social Security Act be  
24 REVERSED and REMANDED to the Commissioner of Social Security for further

1 administrative proceedings before an Administrative Law Judge, a de novo hearing, and a new  
2 decision.

3 On remand, the ALJ will:

- 4 • Reevaluate the medical opinion evidence, including the opinion of Dr. McDuffee; and
- 5 • Reevaluate credibility, residual functional capacity, and step five findings, as  
6 necessary.

7 The parties agree that on proper motion to the Court, Plaintiff will be entitled to  
8 reasonable attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. §  
9 2412(d) and 42 U.S.C. § 406(b).

10 Dated this 19th day of April, 2017.

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12 David W. Christel  
13 United States Magistrate Judge  
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